



THE MARYLAND GENERAL ASSEMBLY  
ANNAPOLIS, MARYLAND 21401-1991

JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW

**Memorandum**

**To:** Members of the AELR Committee  
Standing Committee Chairs

**From:** Marie H. Razulis, AELR Committee Counsel  
George H. Butler, Jr., AELR Committee Counsel  
Crystal L. Lemieux, AELR Committee Counsel

**Date:** September 9, 2016

**Re:** **Synopses of Regulations received from 8/26/2016 through 9/8/2016**

---

Enclosed please find synopses of regulations received by the AELR Committee during the weeks noted above.

The Office of Policy Analysis prepares analyses of the regulations to determine if there are any problem areas, to ensure that the regulations comply with statutory authority and legislative intent, and to assess the fiscal impact of the regulations. If any regulation is of particular interest to you, please feel free to contact us at 410-946-5350 and we will supply you with a copy of the regulation along with the legal and fiscal analysis.

/catz

cc: Victoria L. Gruber  
Alexandra Hughes

**Agriculture, Department of**

**Proposed Regulation**  
**DLS Control No. 16-202**  
**Department of Agriculture:**  
**Plant Pest Control:**  
**Regulation of Invasive Plants: COMAR 15.06.04.06**

According to the department, the purpose of this action is to include two plants to the existing list of tier 1 invasive plants and two to the list of tier 2 invasive plants in accordance with the risk assessment protocol. This action further defines the procedure for the classification or the declassification of a tier 1 invasive plant or a tier 2 invasive plant. This action also clarifies that landscapers who plant or supply for planting a tier 2 invasive plant must provide their customers a list of tier 2 invasive plants.

**Assessments and Taxation, Department of**

**Proposed Regulation**  
**DLS Control No. 16-204**  
**Department of Assessments and Taxation:**  
**Business Organizations:**  
**Prohibited Filings: COMAR 18.04.11.01**

According to the department, the purpose of this action is to adopt by regulation, pursuant to Ch. 653, Acts of 2016, a form of affidavit that will be used for the purposes set forth in § 1-201.1(c) of the Corporations and Associations Article.

**Health and Mental Hygiene, Department of**

**Proposed Regulation**  
**DLS Control No. 16-201**  
**Department of Health and Mental Hygiene:**  
**Hospitals:**  
**Limited Private Inpatient Facilities: COMAR 10.07.16.23**

According to the department, the purpose of this action is to add a provision for limited private inpatient facilities to request a licensure standards waiver in regards to the physical environment requirements listed in Regulation .12 of this chapter.

**Proposed Regulations**

**DLS Control No. 16-205**

**Department of Health and Mental Hygiene:**

**Natalie Laprade Medical Cannabis Commission:**

**Definitions:** COMAR 10.62.01.01

**Medical Cannabis Grower License:** COMAR 10.62.08.03 and .05 through .07

**Medical Cannabis Grower Agent:** COMAR 10.62.09.03

**Inventory Control by Grower:** COMAR 10.62.12.02

**Medical Cannabis Grower Quality Control:** COMAR 10.62.15.04 through .07

**Medical Cannabis Processor License:** COMAR 10.62.19.02 and .04 through .06

**Medical Cannabis Processor:** COMAR 10.62.20.03

**Medical Cannabis Processor Operations:** COMAR 10.62.22.02

**Medical Cannabis Dispensary License:** COMAR 10.62.25.03 and .05 through .07

**Registered Dispensary Agent:** COMAR 10.62.26.03

**Licensed Dispensary Operations:** COMAR 10.62.28.02

According to the department, the purpose of this action is to (1) correct typographical errors and incorrect terminology; (2) clarify the process by which fingerprints are obtained for a criminal history records check; (3) clarify when certain fees need to be paid and when certain fees will be refunded for certain applicants; (4) clarify requirements for financial background information to be sent to the Natalie LaPrade Medical Cannabis Commission for growers, processors, and dispensaries; (5) clarify the general process for granting a license and the general criteria for obtaining a grower license or a processor license; (6) clarify that when certain inspections and background investigations have been passed, then the commission may issue a grower license, a processor license, or a dispensary license; (7) require that an inventory control system that is used by a licensed grower, a licensed processor, or a licensed dispensary is to be approved by the commission; (8) require that an independent testing laboratory used by a licensed grower shall be registered with the commission; (9) clarify how a certain certificate of analysis should identify and report certain information; (10) require an independent testing laboratory to forward to the commission a certificate of analysis under certain circumstances; and (11) clarify certain grower quality control procedures.

**Labor, Licensing and Regulation, Department of**

**Proposed Regulation**

**DLS Control No. 16-203**

**Department of Labor, Licensing, and Regulation:**

**Elevator Safety Review Board:**

**Qualifications:** COMAR 09.35.02.02 through .03

According to the department, the purpose of this action is to eliminate the grandfathering provisions for licensure that expired in January of 2013; define the number of years of experience and education required for licensure as an elevator renovator mechanic; increase the number of

years of experience and education for an elevator renovator contractor license; and eliminate an exam provision requirement for licensure as an elevator renovator contractor.

**Lottery and Gaming Control Agency, Maryland State**

**Proposed Regulation**

**DLS Control No. 16-206**

**Maryland State Lottery and Gaming Control Agency:**

**Instant Bingo Machines in Anne Arundel and Calvert Counties:**

**General: COMAR 36.07.01.03**

According to the agency, the purpose of this action is to provide details on the process to request a repair or replacement of instant bingo.

**Public Service Commission**

**Proposed Regulations**

**DLS Control No. 16-207**

**Public Service Commission:**

**Terminations of Services:**

**General Regulations: COMAR 20.31.01.02**

**Restrictions on Terminations: COMAR 20.31.03.01**

According to the commission, the purpose of this action is to add “physician assistant” to the list of medical professionals permitted to certify to an electric or gas utility that the utility’s customer has a serious illness, or is need of life support equipment, and is therefore exempt from termination of utility service for an initial period of 30 days and beyond that time as prescribed in the regulation.